

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES MCDONALD,

Plaintiff,

v.

ONEWEST BANK, FSB, *et al.*,

Defendants.

No. C10-1952RSL

ORDER GRANTING
RECONSIDERATION

This matter comes before the Court on plaintiff's timely "Motion for Reconsideration [of] Order Denying FCRA Claim in Amended Complaint." Dkt. # 105. On February 21, 2012, the Court granted in part plaintiff's motion to amend his complaint, but found that the proposed Fair Credit Reporting Act ("FCRA") claim would be futile because plaintiff had failed to allege that he disputed the foreclosure with a credit reporting agency and/or that the credit reporting agency provided notice of the dispute to OneWest.

Plaintiff acknowledges that his proposed allegations regarding the FCRA claim were deficient, but states that he did, in fact, notify the three credit reporting agencies of his dispute with OneWest and that, pursuant to 15 U.S.C. § 1681i(a)(2)(A), the credit reporting agencies were required to provide notice of the dispute to OneWest within five business days. Plaintiff may, within seven days of the date of this order, file a second amended complaint that includes the necessary allegations to support his FCRA claim.

ORDER GRANTING RECONSIDERATION

1 In light of this newly-added claim, the parties shall confer to determine whether a
2 further extension of the remaining case management deadlines is appropriate. If the parties are
3 in agreement regarding the need for an extension, a stipulation setting forth a new discovery
4 deadline or trial date may be submitted to the Court for consideration.

5 Dated this 19th day of April, 2012.

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8 Robert S. Lasnik

9 United States District Judge
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